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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,759	07/01/2003	David Kays	3730	5909
7590	12/20/2005		EXAMINER	
Albert S. Michalik Law Offices of Albert S. Michalik, PLLC Suite 193 704 -228th Avenue NE Sammamish, WA 98074			HUYNH, THU V	
			ART UNIT	PAPER NUMBER
			2178	
DATE MAILED: 12/20/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/612,759	KAYS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thu V. Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 01 July 2003.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-18 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 01 July 2003 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: application filed on 07/01/03.
2. Claims 1-18 are pending in the case. Claims 1, 13 and 16 are independent claims.

#### *Specification*

3. The description portion of this application contains a computer program listing consisting of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing of more than three hundred lines must be submitted as a computer program listing appendix on compact disc conforming to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(5)). Accordingly, applicant is required to cancel the computer program listing appearing in appendix, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c) and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

#### *Claim Objections*

4. Claims 1, 3-4, 7 and 9-11 are objected to because of the following informalities:  
Regarding claims 1, 4 and 10, the use of “processing the settings into” has typographical error, since missing word “data” after “the settings”. Appropriate correction is required.  
Regarding claim 3, which is dependent on claim 1, the use of “wherein a markup language document comprises” has typographical error, since “the markup language document” should be used instead of “a markup language documents”. Appropriate correction is required.

Regarding claims 7 and 9, the use of “the HTML document” has typographical error, since “HTML-formatted document” should be used for consistency instead of “HTML document”. The use of “the settings maps to” has typographical error, since missing word “data” after “the settings”. Appropriate correction is required.

Regarding claims 10-11, the use of “serializing the settings into” has typographical error, since missing word “data” after “the settings”. Appropriate correction is required.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. **Claims 1-10, 12-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

**Regarding claims 1-10, 13-14 and 16-17,** the language of the claims raise a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S. C. 101.

In this case, claims 1-10, 13-14 and 16-17 recite steps of a method that can be done by a person as a mental step and/or using pencil and paper. These claims’ limitations are not explicitly directed toward steps being implemented on a computer, computer readable medium, or other statutory device.

**Regarding claims 12, 15 and 18,** these claims are not limited to statutory embodiments. In view of Applicant's disclosure, specification page 14, line 10 – page 15, line 15, the media is

not limited to statutory embodiments, instead being defined as including both statutory embodiments (e.g., “RAM, ROM, EEPROM, flash memory”) and non-statutory embodiments (e.g., “program modules or other data in a modulated data signal such as a carrier wave or other transport mechanism and includes any information delivery media”). As such, the claims are not limited to statutory subject matter and are therefore non-statutory (See “Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility”, pages 54-57, signed 10/26/05).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1-6 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by**

**Prabakaran et al., US 2002/0178249 A1, filed 03/02.**

**Regarding independent claim 1, Prabakaran teaches the steps of:**

- collecting settings data from a disparate set of stores (Prabakaran, figure 1; [0024], [0040]-[0043]; user is able select policy object from Group Policy Object List (GPO) and check on “HTML Report” to generate a report, wherein the policy objects’ data is collected from a directory and external network location); and

- processing the settings data into at least one markup language document (Prabakaran, [0024], [0040]-[0043]; processing policy objects' data to generate a report in HTML format).

**Regarding claim 2**, which is dependent on claim 1, Prabakaran teaches the disparate set of stores comprise containers for the settings data of a group policy object (Prabakaran, [0032], [0040]-[0041]; storing settings data of a group policy object in the directory and external network locations).

**Regarding claim 3**, which is dependent on claim 1, Prabakaran teaches a markup language document comprises a HTML-formatted document, and further comprising, rendering a visible representation of the HTML-formatted document (Prabakaran, abstract, [0024], [0040], [0041], [0043], generating the report in HTML format and displaying the report in human readable form).

**Regarding claim 4**, which is dependent on claim 3, Prabakaran teaches processing the settings data into at least one markup language document comprises generating an HTML-formatted document (Prabakaran, [0034], [0040], [0041], [0043], generating the report in HTML format).

**Regarding claim 5**, which is dependent on claim 4, Prabakaran teaches rendering a visible representation of the HTML-formatted document (Prabakaran, abstract, [0024], [0040],

[0041], [0043], generating the report in HTML format and displaying the report in human readable form).

**Regarding claim 6**, which is dependent on claim 4, Prabakaran teaches generating the HTML-formatted document comprises mapping a type of property dialog to HTML content (Prabakaran, [0039]-[0041], the data abstraction reads the raw policy data, such as object name, ID, revision, creation time, contents of policies and translate into HTML document format).

**Regarding claim 12**, which is dependent on claim 1, claim 12 is for a computer-readable medium having computer executable instruction for performing the method of claim 1 (Prabakaran, [0006], [0024], software application includes instructions stored on a computer-readable media in order to performing the method of claim 1).

**9. Claims 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Beadles et al., US 2003/0154404 A1, filed 08/02.**

**Regarding independent claim 13**, Beadles teaches the steps of:

- providing a schema that describes group policy object settings (Beadles, [0054], [0062]-[0064], [0109]; providing many types of XML schemas, such as XML device schema, VPN policy rule schema, wherein XML device schema describes different policies for different devices, so that XML policy document (“new device-level XML document”) is generated for each device as defined by the XML device schema. It is noted that an XML schema describes policies is also specified in [0054], for

examples, an XML schema describes “IP service policy, including managed device policy, IPS EC policy, … and policy for all other managed IP services”); and

- applying the schema to output a formatted version of the group policy object settings (Beadles, [0054], [0103], [0109], [0111]; using XML device schema to generate XML policy document for each device).

**Regarding claim 14**, which is dependent on claim 13, refer to the rationale relied to reject claim 13, the limitation of “the schema comprises an XML schema” is addressed. The rationale is incorporated herein.

**Regarding claim 15**, claim 15 is for a computer-readable medium having computer-executable instruction for performing the method of claim 13 (Beadles, [0041], [0046]-[0047]; system includes modules in layers for performing the method of claim 13), and is rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly

owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**11. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prabakaran as applied to claim 4 above and further in view of Hemstreet et al., US 6,931,447 B1, filed 09/00.**

**Regarding claim 7**, which is dependent on claim 4, Prabakaran teaches the HTML-formatted document includes settings data (Prabakaran, [0039]-[0043], the HTML report includes policy setting). However, Prabakaran does not explicitly disclose the HTML formatted document includes headings.

Hemstreet teaches HTML contains current settings and headings via categories (Hemstreet, fig.2; col.7, lines 55-65; “Click the arrow to expand or contract each category”).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hemstreet’s teaching and Prabakaran’s teaching to includes headings in the report, since the combination would have provided settings data in categories as Hemstreets disclosed.

**Regarding claim 8**, which is dependent on claim 7, Prabakaran does not explicitly teach a set of setting data corresponds to a heading, and wherein the set of settings data is shown based on interaction with the corresponding heading.

Hemstreet teaches a set of setting data corresponds to a heading, and wherein the set of settings data is shown based on interaction with the corresponding heading (Hemstreet, fig.2; col.7, lines 55-65; “Click the arrow to expand or contract each category” to view and/or modify the current settings).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hemstreet's teaching and Prabakaran's teaching to include headings in the report, since the combination would have provided settings data in categories and allowed the user to expand or contract each heading for viewing settings data as Hemstreets disclosed.

**Regarding claim 9**, which is dependent on claim 7, Prabakaran teaches the HTML-formatted document includes setting data (Prabakaran, [0039]-[0043], the HTML report includes policy setting). However, Prabakaran does not explicitly disclose the HTML formatted document includes headings and wherein one of the settings maps to a set of properties accessible via a property dialog.

Hemstreet teaches a set of setting data corresponds to a heading and wherein one of the settings maps to a set of properties accessible via a property dialog (Hemstreet, fig.2; col.7, lines 55-65; "Click the arrow to expand or contract each category" to view and/or modify the current settings, wherein current settings maps to a set of properties, such as "Ink Low", "Out of Paper" which are accessible via clicking the arrow to expand "Supplies" category).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hemstreet's teaching and Prabakaran's teaching to include headings in the report, since the combination would have provided settings data in categories and allowed the user to expand or contract each heading for viewing and/or modifying settings data as Hemstreets disclosed.

12. **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prabakaran as applied to claim 1 above and further in view of Boehme et al., US 6,578,192 B1, filed 10/99.**

**Regarding claim 10**, which is dependent on claim 1, Prabakaran does not explicitly teach processing the settings data into at least one markup language document comprises serializing the settings data into an XML-formatted document.

Boehme teaches passing HTML/XML document into serializer 209 to generate XML/HTML document and delivery the generated document to a client (Boehme, fig.2, col.5, lines 19-60)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Boehme's teaching into Prabakaran and Hemstreet's teaching to serialize the settings data, since the combination would have generated the report in different formats, such as XML or HTML representation.

13. **Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prabakaran and futher in view of Boehme as applied to claim 10 above, and further in view of Knight et al., US 2004/0083453 A1, filed 06/16/03.**

**Regarding claim 11**, which is dependent on claim 10, the combination of Prabakaran and Boehme teaches XML serializer serializes the HTML document about settings data to generate an XML report about the settings data as explained above. However, the combination does not explicitly teach serializing the settings data comprises *providing an XML schema* to an XML serializer component.

Knight teaches a serialized XML document is conformed to corresponding XML schema which defines a hierarchy of elements for displaying an XML document, such as weekly shipments document (Knight, figures 3, 6A, 6B; [0071]-[0073]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Kinight's teaching into Boehme's teaching to provide the XML schema and settings data to Boehme's XML serializer, since the combination would have produced an XML report conforms with an XML schema which defines a hierarchy of elements for displaying an XML report document.

**14. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beadles et al., US 2003/0154404 A1, filed 08/02, in view of Prabakaran et al., US 2002/0178249 A1, filed 03/02.**

**Regarding independent claim 16,** Beadles teaches the steps of:

- providing a schema that describes group policy object settings (Beadles, [0054]; [0062]-[0064], [0109]; providing many types of XML schemas, such as XML device schema, VPN policy rule schema, wherein XML device schema describes different policies for different devices, so that XML policy document ("new device-level XML document") is generated for each device as defined by the XML device schema. It is noted that an XML schema describes policies is also specified in [0054], for examples, an XML schema describes "IP service policy, including managed device policy, IPS EC policy, ... and policy for all other managed IP services"); and

- applying the schema to output a formatted version of the group policy object settings (Beadles, [0054], [0103], [0109], [0111]; using XML device schema to generate XML policy document for each device).

However, Beadles does not explicitly disclose resultant set of policy object settings.

Prabakaran teaches a temporary policy object settings contain resultant policy settings (Prabakaran, [0051], [0053]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Prabakaran's teaching into Beadles' teaching to describe resultant set of policy object settings in a schema, since the combination would have provided XML policy document for each device based on group policy object settings as well as resultant set of policy object settings.

**Regarding claim 17**, which is dependent on claim 16, refer to the rationale relied to reject claim 16, the limitation of "the schema comprises an XML schema" is addressed. The rationale is incorporated herein.

**Regarding dependent claim 18**, claim 18 is for a computer-readable medium having computer-executable instruction (Beadles, [0041], [0046]-[0047]; system includes modules in layers for performing the method of claim 16) for performing the method of claim 16, and is rejected under the same rationale. The rationale is incorporated herein.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Marl et al., US 2003/0126236 A2, filed 06/02, teaches configuration and management system.

Beadles et al., US 2003/0041139 A1, filed 08/02, teaches event management for remote network policy management system.

Scheier et al., US 2002/0035584 A1, filed 04/01, teaches ICFoundation web site development software.

Hadley, US 2004/0215797 A1, filed 04/03, teaches creating and analyzing an identifier indicating whether data is in an expected form.

Imagou, US 2002/0184269 A1, filed 03/02, teaches document management systems and methods of sharing documents.

Mireku, US 2005/0108627 A1, filed 11/03, teaches serialization and preservation for objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thu V. Huynh  
December 5, 2005